

OPEN MEETING ITEM

COMMISSIONERS
GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

ORIGINAL



ARIZONA CORPORATION COMMISSION



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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

DATE: MAY 12, 2011
DOCKET NO: T-02979B-11-0121
TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Yvette B. Kinsey. The recommendation has been filed in the form of an Order on:

T-NETIX, INC.
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

MAY 19, 2011

The parties have waived the 10 days for filing of exceptions

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Working Session and Open Meeting to be held on:

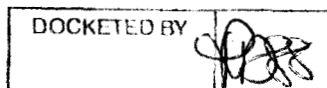
MAY 24, 2011 and MAY 25, 2011

For more information, you may contact Docket Control at (602)542-3477 or the Hearing Division at (602)542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

MAY 12 2011



ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347

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This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail SBernal@azcc.gov

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 COMMISSIONERS

3 GARY PIERCE - Chairman
4 BOB STUMP
5 SANDRA D. KENNEDY
6 PAUL NEWMAN
7 BRENDA BURNS

8 IN THE MATTER OF THE APPLICATION OF T-
9 NETIX, INC. FOR CANCELLATION OF ITS
10 CERTIFICATE OF CONVENIENCE AND
11 NECESSITY TO PROVIDE CUSTOMER-OWNED
12 PAY TELEPHONE SERVICE IN THE STATE OF
13 ARIZONA.

DOCKET NO. T-02979B-11-0121

DECISION NO. _____

ORDER

14 Open Meeting
15 May 24 and 25, 2011
16 Phoenix, Arizona

17 **BY THE COMMISSION:**

18 Having considered the entire record herein and being fully advised in the premises, the
19 Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

20 **FINDINGS OF FACT**

21 1. In Decision No. 59293 (September 22, 1995), the Commission granted Tele-Matic
22 Corporation, now known as T-NETIX, Inc. ("T-NETIX"), a Certificate of Convenience and
23 Necessity ("CC&N") to provide customer-owned pay telephone ("COPT") service in Arizona.

24 2. On March 17, 2011, T-NETIX filed an application with the Commission requesting to
25 cancel its CC&N to provide COPT services in Arizona.

26 3. On April 27, 2011, the Commission's Utilities Division Staff ("Staff") filed a
27 Memorandum in this docket, in which Staff recommends approval of the application.

28 4. According to Staff, T-NETIX stated that it has not done business in Arizona since
June 2008, and has waived its right to a hearing in this matter.

5. Staff's Consumer Services Section shows for the period of January 1, 2008 to March
30, 2011, there was one complaint filed against T-NETIX.

6. Staff's Compliance Section indicated that T-NETIX has no compliance delinquencies.

1 7. T-NETIX is in good standing with the Commission's Corporations Division.

2 8. Staff recommends approval of the application.

3 9. Staff's recommendation for approval of T-NETIX's application for cancellation of its
4 CC&N is reasonable and should be adopted.

5 10. On May 11, 2011, T-NETIX filed a Notice of Waiver of 10-Day Exception Period
6 asking for the matter to be considered at the May 24 and 25, 2011 Open Meeting.

7 **CONCLUSIONS OF LAW**

8 1. T-NETIX is a public service corporation within the meaning of Article XV of the
9 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

10 2. The Commission has jurisdiction over T-NETIX and the subject matter of the
11 application.

12 3. The cancellation of T-NETIX's CC&N to provide customer-owned pay telephone
13 services in Arizona is in the public interest.

14 4. T-NETIX waived its right to notice and a hearing in this matter.

15 5. Staff's recommendation is reasonable and should be adopted.

16 **ORDER**

17 IT IS THEREFORE ORDERED that T-NETIX, Inc.'s Certificate of Convenience and
18 Necessity, granted in Commission Decision No. 59293 (September 22, 1995) to provide customer-
19 owned pay telephone service in Arizona is hereby cancelled.

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1 IT IS FURTHER ORDERED that T-NETIX, Inc. is no longer subject to any of the
2 requirements of Decision No. 59293.

3 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

4 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.
5
6

7 CHAIRMAN

COMMISSIONER

9 COMMISSIONER

COMMISSIONER

COMMISSIONER

11 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
12 Executive Director of the Arizona Corporation Commission,
13 have hereunto set my hand and caused the official seal of the
14 Commission to be affixed at the Capitol, in the City of
15 Phoenix, this _____ day of _____, 2011.

16 ERNEST G. JOHNSON
17 EXECUTIVE DIRECTOR

18 DISSENT _____
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21 DISSENT _____
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2 DOCKET NO.: T-02979B-11-0121

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